IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE GODA RAGHURAM**

**WRIT PETITION NO : 11832 of 2005**

Between:

Achanta Veeraiah, s/o Veerayya,
r/o Vendra Village, Pedapudi Mandal, East Godavari District.

**..... PETITIONER**

AND

1 The Assistant Commissioner, Endowments Department, Rajahmundry, East Godavari District.
2 Sri Venugopala Swamyvari Devasthanam, rep., by its Executive Officer, Vendra Village, Pedapudi Mandal, East Godavari District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of mandamus declaring the action of the respondents in not considering the petitioner's representation dt.20-3-2005 as illegal, arbitrary and violative of principles of natural justice and with a consequential direction to the respondent No.1 to consider the representation submitted by the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioner:MR.A.S.C.BOSE**

**Counsel for the Respondent No.: GP FOR ENDOWMENTS**

**The Court made the following :**

**ORDER:**

Petitioner claims to be a cultivating tenant of the lands belonging to Sri Venugopala Swamy vari Devasthanam, Vendra village, Pedapudi Mandal, East Godavri District, for over 30 years. The period of the lease in his favour expired by the end of May, 2005. He made a representation to the Devastanam stating to be a landless poor person with a family wholly dependent on this land and promising to pay a *makta* (lease amount) of 62.12 bags of paddy for the extent of Acs. 2-50 cents he was having an existing lease and sought renewal of lease in his favour. No orders have been passed by the respondents on the aforesaid representation of the petitioner dated 30-3-2005 is his grievance in this writ petition. The petitioner seeks that the respondents should dispose of his representation.

Once the lease period of the petitioner is over, there is nothing in the provisions of the Act or the relevant Rules which entitles him to renewal of the lease. The lands are to be leased out by public auction only for a fresh term. As and when such an auction is held, the petitioner is also eligible to bid at such auction. By the mere fact of having been a cultivating tenant for a considerable time, the petitioner is not entitled to an automatic renewal of lease. His representation for grant of renewal of lease to the respondents could not be granted by the respondents.

In the circumstances, this court is not inclined to issue a Mandamus to

dispose of the representation. As and when the respondents notify the auction for lease of the lands of the Devastanam, the petitioner is eligible and is at liberty to participate in such a bid, tender, or auction.

The writ petition is disposed of as above. There shall be no order as to costs.

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7th June, 2005

smr

To

1 The Assistant Commissioner, Endowments Department, Rajahmundry, East Godavari District.

2 Sri Venugopala Swamyvari Devasthanam, rep., by its Executive Officer, Vendra Village, Pedapudi Mandal, East Godavari District.

3) 2 CCs to G.P. for Endowments, High Court Buildings, Hyderabad.

4) 2 CD copies

**THE HON'BLE SRI JUSTICE GODA RAGHURAM**

**W.P.No.11832 of 2005**

**Dated: 7th June, 2005**